

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IOAN GHILDUTA

Plaintiff,

ANSWER

-against-

**CIV. No. 04-7494
(BSJ)**

THE TRUMP CORPORATION and
MICHAEL P. FISHMAN, as President of Local
32B-32J, SERVICE EMPLOYEES
INTERNATIONAL UNION, AFL-CIO,

Defendants.

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Defendant, THE TRUMP CORPORATION ("Trump"), by its attorneys Rosen Weinhaus LLP, answers the Complaint of IOAN GHILDUTA, as follows:

1. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph "1".
2. Admits the allegations set forth in Paragraph "2".
3. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph "3".
4. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph "4".
5. Admits the allegations set forth in Paragraph "5".
6. Denies the allegations set forth in Paragraph "6".
7. Denies the allegations set forth in Paragraph "7".
8. Denies the allegations set forth in Paragraph "8", but admits that Mr. Gjieli did at times in the past have supervisory responsibilities over the plaintiff.

9. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph “9”.

10. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph “10”.

11. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph “11”.

12. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph “12”.

13. Denies the allegations set forth in Paragraph “13”.

14. Denies the allegations set forth in Paragraph “14”.

15. Denies the allegations set forth in Paragraph “15”.

16. Denies the allegations set forth in Paragraph “16”.

17. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph “17”, but denies that there were corrupt practices and bribery committed by Trump supervisors.

18. Admits the allegations set forth in Paragraph “18”.

19. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph “19”.

20. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph “20”.

21. Denies the allegations set forth in Paragraph “21”.

22. Denies the allegations set forth in Paragraph “22”.

23. Denies the allegations set forth in Paragraph “23”.

24. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph “24”.

25. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph “25”.

26. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph “26”.

27. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph “27”.

28. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph “28”, except denies that no resolution to the arbitration has been reached.

29. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph “29”.

30. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph “30”.

31. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph “31”.

32. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph “32”.

33. Denies the allegations set forth in Paragraph “33”.

34. Denies the allegations set forth in Paragraph “34” as they pertain to Trump, but denies knowledge or information sufficient to form a belief as to the truth of the allegations as

they pertain to the defendant Local 32B-32J, Service Employees International Union, AFL-CIO (“the Union”).

35. Denies the allegations set forth in Paragraph “35” as they pertain to Trump, but denies knowledge or information sufficient to form a belief as to the truth of the allegations as they pertain to the Union.

FIRST AFFIRMATIVE DEFENSE

36. The Complaint must be dismissed as against the Answering Defendant since The Trump Corporation was not the plaintiff’s employer and thus The Trump Corporation is not a proper party defendant.

SECOND AFFIRMATIVE DEFENSE

37. The Complaint fails to state a claim upon which relief can be granted.

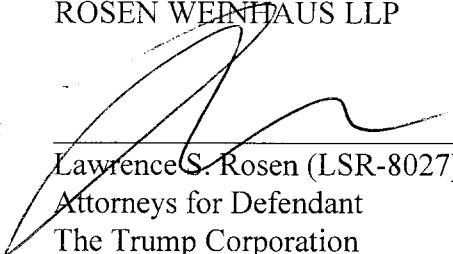
WHEREFORE, the Answering Defendant demands that:

- (1) the Complaint be dismissed in its entirety as against The Trump Corporation, and
- (2) costs be awarded to the Answering Defendant, and
- (3) such other and further relief be granted as this Court deems just and proper.

Dated: New York, New York
November 2, 2004

ROSEN WERNHAUS LLP

By:


Lawrence S. Rosen (LSR-8027)

Attorneys for Defendant

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